

HB

585

Boundary commission shd. be represented -

Introduced: 1/10/78
Referred: Community &
Regional Affairs and Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 585

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing a local government study com-
7 mission; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. LOCAL GOVERNMENT STUDY COMMISSION. There is established
10 in the Department of Community and Regional Affairs a temporary local gov-
11 ernment study commission.

12 * Sec. 2. MEMBERSHIP OF COMMISSION. The commission has the following
13 members:

14 (1) the commissioner of community and regional affairs or his
15 designee;

16 (2) the chairman of the senate community and regional affairs
17 committee;

18 (3) the chairman of the house community and regional affairs
19 committee;

20 (4) four municipal officials appointed by the governor, one of
21 whom must be from an organized borough or unified municipality, one from a
22 first-class or home rule city located within an organized borough, and two
23 from cities located within the unorganized borough;

24 (5) two residents of the unorganized borough, outside cities,
25 appointed by the governor.

26 * Sec. 3. POWERS AND DUTIES OF THE COMMISSION. (a) The commission
27 shall make recommendations to the governor and the legislature concerning
28 the sufficiency of the existing local government structure and measures by
29 which it may be improved, and toward that end, it shall

1 (1) study and evaluate existing and alternative means of local
2 government finance;

3 (2) study and evaluate the differences between governmental
4 services and burdens in organized boroughs and the unorganized borough;

5 (3) study and evaluate the relationships between the state and
6 local governments;

7 (4) study and evaluate existing and alternative local government
8 structures;

9 (5) hold public hearings in organized boroughs, cities and the
10 unorganized borough;

11 (6) after one year of study, submit an interim report to the
12 governor and the legislature;

13 (7) after two years of study, submit a final report with find-
14 ings and recommendations to the governor and the legislature.

15 (b) In exercising its powers and fulfilling its responsibilities, the
16 commission may:

17 (1) establish sub-committees to study each of the subjects set
18 out in (a)(1) through (4) of this section;

19 (2) contract through the Department of Community and Regional
20 Affairs for the professional services it considers necessary to prepare its
21 final report.

22 * Sec. 4. DISSOLUTION OF COMMISSION. After presenting its final re-
23 port, the commission is dissolved.

24 * Sec. 5. STAFF. The Department of Community and Regional Affairs
25 through the division of local government assistance shall provide the staff
26 for the commission.

27 * Sec. 6. EFFECTIVE DATE. This Act takes effect July 1, 1978.
28
29

A M E N D M E N T

Offered in Committee

By Rudd

TO: HOUSE BILL NO, 585

Page 2, line 9: insert the following;

(5) study and ascertain which governmental services
are more effectively provided by municipalities than by the state;

Renumber remaining paragraphs.

HB 585

January 10, 1978

The Honorable Hugh Malone
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, Sec. 18, of the Alaska Constitution, and in accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill to establish a temporary local government study commission in the Department of Community and Regional Affairs.

The study commission, which will include the chairmen of the community and regional affairs committees of the legislature, is intended to be a blue-ribbon panel, the task of which will be to make a thorough, two-year study and analysis of all aspects of local government in Alaska and to make specific recommendations for any change thought desirable.

It will, for example, examine the present system of state financial support to local governments for their providing various services (such as public safety services) to ascertain whether it rewards local effort on an equitable basis and encourages, and does not discourage, the formation of local governments in areas where they should logically exist. The accomplishment of this task alone warrants the enactment of this legislation.

Ours is a strong tradition of local self-government. We have consistently sought to achieve our constitutionally stated goal of maximum local self-government with a minimum of local government units. The study commission's goal will be to see if we can do even better and to bring us specific recommendations toward that end.

This bill is the Department of Community and Regional Affairs' top priority. I urge its favorable consideration.

Sincerely,

S/SSH

Jay S. Hammond
Governor

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. establishing study HOUSE BILL NO. 585
 Title "An Act creating a local government commission"...
 Requested by Office of the Governor Date 11/29/77

II. FISCAL DETAIL
 Agency Affected Department of Community and Regional Affairs
 Program Category Affected Development
 Budget Request Unit(s) Affected Local Government Assistance Division

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES			157.6	167.1		
200 TRAVEL			24.0	25.4		
300 CONTRACTUAL			17.8	218.9		
400 COMMODITIES			2.0	2.1		
500 EQUIPMENT			3.5			
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL			204.9	413.5		

FUNDING (Thousands of Dollars)

GENERAL FUND			204.9	413.5		
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME			6	6		
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III) Assumptions:

- Six staff members would be employed for the duration of the commission's existence. The staff members would include:
 - One Local Government Specialist IV (Range 19) - supervises, coordinates and directs other staff members, advises commission on fiscal and legal matters of existing and future local governments, completes analysis of data and provides recommendations, responsible for technical reports and public information materials and is responsible for conduct of public hearings. (Monthly Salary (\$2,322) + benefits (\$578) x 12 months = \$34,800)
 - Four Local Government Specialists II (Range 15) - will investigate and collect data on the existing local government's fiscal capacity, intergovernmental relationships, alternative local government structures, draft reports, etc. (Monthly Salary (\$1,727) + benefits (\$475) x 12 months x 4 = \$105,712)
 - One Clerk Typist III (Range 8) - responsible for typing of reports, correspondence, filing and miscellaneous duties. (Monthly Salary (\$1,092) + benefits (\$337) x 12 months = \$17,143)

IV. DATE 11/29/77 PREPARED BY Bruce Aronson
 AGENCY Department of Community and Regional Affairs
 PHONE 465-4700

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) Total Personal Services \$157,655

2.) Travel has been computed as follows:

= 9 commission members plus one staff member x average cost per trip per person
(includes per diem) x eight trips per annum 10 x \$300 x 8 = \$24,000

Total Travel \$24,000

3. Contractual expenses have been computed as follows:

A. Telephone - 6 phones @ \$35/month x 12 months = \$ 2,520
- long distance = 2,000

B. Rent - 650 square feet x \$1.25 per square foot per month x 12 months = 9,750

C. Postage, printing, advertising of hearings and miscellaneous 3,500

Total Contractual \$17,770

During the second fiscal year, in-depth reports by private consultants on selected topics will require an additional \$200,000.

4. Commodities - office supplies, etc. \$2,000

Total Commodities \$ 2,000

5. Equipment - six desks and chairs, filing cabinets and one typewriter \$3,476

\$ 3,476

6. Inflation will be approximately six percent per year.

Total First Year Expenses \$204,901



ANCHORAGE
SCHOOL DISTRICT

3000 DELTA DRIVE, ANCHORAGE, ALASKA

99504

AREA CODE 907 553 3000

January 24, 1978

The Honorable Lisa Rudd, Chairman *PERSON*
Members of the Community & Regional Affairs Committee
House of Representatives
Pouch V
Juneau, Alaska 99811

SUBJECT: HOUSE BILL 585

Dear Committee Members:

We note that HB 585, in establishing a local government study commission, excludes the participation of school boards.

In smaller communities, education is often the only local government service. In larger communities with organized first and second class boroughs the school board must, by statute (and, in the case of Anchorage, by charter), maintain a very intimate relationship with the local government, they being the final arbiter on the school budget.

If a commission is established to examine the relationship between local and state governments, it would seem highly appropriate to include the representation of local school boards.

Thank you for your consideration of this matter.

Respectfully submitted,

Heather Flynn, Legislative Chairperson
Anchorage School Board

jm

cc: Board members

PJ
Lisa

Rural Alaska Community Action Program, Inc.

January 24, 1978

Honorable Lisa Rudd, Chairperson,
House Community & Regional Affairs Committee
Pouch V
Juneau, Alaska 99811

Re: HB 585, "An act establishing a local government study commission; and providing for an effective date."

Dear Lisa:

We have noted with interest the initiative of the Administration in submitting this bill for legislative consideration. Rural CAP has been interested in the establishment of effective and responsive local and regional governments in the Unorganized Borough for years.

As you may recall, the basic idea of a "Local Government Study Commission" was first introduced in the spring of 1975 (SB 136). At that time, proponents of the idea were looking for some method to create appropriate regional governments in the Unorganized Borough to assume the educational powers which, at the time, were being exercised by the Alaska State Operated School System. In the First Session of the Ninth Legislature, HB 35 was passed, regionalizing the ASOSS into the present configuration of 21 REAA's. This action effectively mooted the primary necessity (as it was seen at that time) for the passage of SB 136.

In working on the concepts embodied in the original version of SB 136, this organization, AFN, the Citizens' Participation Conference, and other rural residents and organizations generally agreed that some needed changes were indicated, to wit:

1. Control of the Commission should be more in the hands of officials who reside in the Unorganized Borough, in order to obviate the tendency to merely recommend that the status quo be extended to include the Unorganized Borough.
2. Also, it was felt that some form of "incentive grant" should be provided to local and regional groups who wanted to study the creation of local government on their own terms. Accordingly, through the initiative of Senators Sackett and Ferguson, the bill was amended to authorize up to \$250,000 for the incentive grants program.

Honorable Lisa Rudd
January 24, 1978
Page Two

As indicated above, the Legislature decentralized ASSOSS and effectively mooted the perceived need for this Commission. Also, at that time, the Administration was not supportive of SB 136 (either as originally submitted, or as amended to include the grant program). In light of these two factors, the bill died when the Ninth Legislature adjourned in the Summer of 1976.

I believe that one of the things that has generally been overlooked in the debate surrounding the creation of regional governments in the unorganized borough is that there are a wide variety of government services which are demonstrably best conducted by a regional structure (whether that be government, a non-profit corporation, an REAA or whatever). Merely decentralizing the educational function throughout the State did not solve the myriad governmental problems experienced in rural Alaska. Among these are such things as coastal zone management, planning and zoning functions, local taxation, localization of the A-95 Clearinghouse procedure etc. All of these functions are most appropriately handled at a local or regional level.

Our position on HB 585, therefore, is that it is a good step in the right direction. However, we would again request that the membership on the council be expanded to include more residents of the Unorganized Borough. As well, I believe that it is most important that the incentive grants program be reinserted into the bill. As you well know, no local government is going to succeed unless and until the people who are to be governed agree that the form and structure of the government is appropriate to their needs. I am quite concerned that, if HB 585 is passed in its present form, the Commission (staffed by the Department of Community and Regional Affairs) will merely recommend minor adjustments to Title XXIX, submit their recommendations to the Legislature, and thereby impose a form of regional government on the Bush which is neither appropriate, needed, nor wanted.

The time has most certainly come to "turn the process around." If the Legislature were to create an incentive grants program, and give state-wide control of the program to a structure in which a reasonable amount of control were granted to residents of the Unorganized Borough, then local people, acting through their local and regional organizations, could request funding for a study, identify and hire their own staff to conduct the study, and have ultimate "sign-off" on the recommendation presented to the Legislature. I believe that this process would be more effective because it would provide the Legislature with recommendations more closely attuned to the wishes of local people.

In my opinion, one of the main reasons that most of Alaska's land mass is presently "unorganized" is that the present Title XXIX is simply inappropriate to rural Alaskan governmental needs. Although the passage of the "Third Class Borough Bill" during the last session of the Legislature presented a few more options for rural residents, the Administration has done virtually nothing to implement either the mandate or the intent of that piece of legislation. Therefore, I suggest that the time has come to put the process into the hands of the people and to permit them to conduct their own studies, come up with their own recommendations, and live by their own decisions.

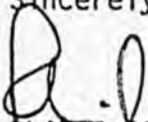
Honorable Lisa Rudd
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Please excuse this rather hasty analysis. Due to time constraints, I haven't had the opportunity to present a well-documented and researched set of recommendations. Neither have I yet had an opportunity to discuss this issue, in depth, with rural residents. Be assured that, as those opportunities present themselves, we'll be in touch.

Finally, I would request that your Committee take no final action on the bill until its merits are discussed at the Citizens' Participation Conference. As you know, the CPC is scheduled to meet in Juneau on the 23, 24 and 25 of February; and local government issues will be on the agenda.

Thank you very much for your consideration of these remarks.

Sincerely,



Phil Smith,
Executive Director

cc: Palmer McCarter, Director, Division of Local Government Affairs
Department of Community and Regional Affairs

Ross Soboleff, Rural CAP Legislative Liaison

PS/jw